

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

STANLEY SHAPIRO *et al.*,

Defendants.

Adv. Pro. No. 10-5383 (SMB)

**FIRST AMENDMENT TO CASE MANAGEMENT PLAN**

**WHEREAS**, pursuant to Federal Rules of Civil Procedure 16 and 26, as incorporated into Bankruptcy Rules 7016 and 7026, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, and Defendant Stanley Shapiro and the other defendants named in the instant proceeding (collectively, the “Shapiro Family,” and together with the Trustee, the “Parties”) the Parties stipulated to the Case Management Plan, which was entered by this Court on March 31, 2016 (ECF No 68);

**WHEREAS**, the Parties previously agreed in Section 1(a) of the Case Management Plan that all fact discovery shall be completed on or before April 28, 2017;

**WHEREAS**, the Parties further agreed in Section 1(b) of the Case Management Plan that they would, in good faith, attempt to stipulate to all of the transfers made by BLMIS to the Shapiro Family as detailed in the schedules attached at Exhibit B to the Second Amended Complaint filed in this proceeding, and that in the event the Parties reach such a stipulation, they shall finalize the same on or before September 30, 2016;

**WHEREAS**, the Parties further agreed in Section 1(e) of the Case Management Plan that they may serve documents requests as provided in Rule 34 of the Federal Rules of Civil Procedure no later than September 30, 2016; and

**WHEREAS**, the Parties seek additional time in their attempt to negotiate a stipulation as to all of the transfers made by BLMIS to the Shapiro Family, to serve documents requests as provided in Rule 34 of the Federal Rules of Civil Procedure, and complete fact discovery.

**NOW THEREFORE**, it is hereby stipulated and agreed, by and between the undersigned counsel, that: (i) the deadline for the Parties to finalize a stipulation as to the transfers made by BLMIS to the Shapiro Family under Section 1(b) of the Case Management Plan shall be extended from September 30, 2016, to October 31, 2016; (ii) the deadline for the Parties to serve documents requests under Section 1(e) of the Case Management Plan shall be extended from September 30, 2016, to November 30, 2016; and (iii) the fact discovery cut-off under Section 1(a) of the Case Management Plan shall be extended from April 28, 2017, to June 30, 2017. All other discovery and further deadlines provided for in the Case Management Plan shall remain unchanged.

Dated: September 29, 2016  
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Torello H. Calvani  
45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Fernando A. Bohorquez  
Email: fbohorquez@bakerlaw.com  
Torello H. Calvani  
Email: tcalvani @bakerlaw.com

*Attorneys for Plaintiff*

LAX & NEVILLE LLP

By: /s/ Barry R. Lax  
1450 Broadway, 35<sup>th</sup> Floor  
New York, NY 10018  
Telephone: (212) 696-1999  
Facsimile: (212) 566-4531  
Barry R. Lax  
Email: blax@laxneville.com  
Brian J. Neville  
Email: bneville@laxneville.com  
Robert Miller  
Email: rmiller@laxneville.com

*Attorneys for Defendants*

Dated: September 30<sup>th</sup>, 2016  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE